

Appl. No.: 10/800,470
Docket No.: DB001092-001
Amdt. Dated: 4 August 2005
Reply to Office action of 4 May 2005

REMARKS/ARGUMENTS

In the Office action, claims 1-4 and 11 stand rejected under 35 U.S.C. §102(b) as being anticipated by Silverbrook, U.S. Patent No. 6,071,750. In response, independent claims 1 and 11 have been amended to recite the releasing of a micro-machined mesh.

The Examiner points to Figures 4-10 of Silverbrook for the teaching of a micro-machined mesh. Silverbrook has two solenoid coils, identified by reference numerals 45 and 46 in FIG. 3. Such coils are not meshes as described in the instant application. Furthermore, the coils are embedded in a paddle 15. Thus, even if the coils were meshes, there is no releasing of the meshes as now set forth in amended claims 1 and 11. (The “releasing of the mesh” limitation is found in allowable claim 5). For that reason, it is respectfully requested that the rejection of claims 1 and 11 as being anticipated by Silverbrook be withdrawn.

Claims 2-6 depend from claim 1 and are also believed to be in condition for allowance.

Applicants note that claims 5 and 6 have been objected to as being dependent upon a rejected based claim. However, in view of the amendment and arguments set forth above, it is believed that claim 1 is in condition for allowance such that claims 5 and 6 no longer need to be rewritten in independent form.

Claims 7-10 and 12 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 12 and 28 of co-pending application 10/701,860. This provisional rejection will be dealt with when Applicants receive an indication of the allowability of the remainder of the claims in the application.

Applicants have made a diligent effort to advance the prosecution of this application. An indication of the allowability of claims 1-6 and 11 is respectfully requested. If the Examiner is of the opinion that claims 1-6 and 11 are in condition for disposition other than through allowance, the Examiner is respectfully requested to contact Applicants' attorney at the telephone number listed below.

Respectfully submitted,



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